



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,873	06/11/2001	Tomoyuki Nakamura	01328/LH	4958

1933 7590 03/24/2003

FRISHAUF, HOLTZ, GOODMAN & CHICK, PC
767 THIRD AVENUE
25TH FLOOR
NEW YORK, NY 10017-2023

EXAMINER

MAHONEY, CHRISTOPHER E

ART UNIT PAPER NUMBER

2851

DATE MAILED: 03/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/879,873

Applicant(s)

NAKAMURA, TOMOYUKI

Examiner

Christopher E Mahoney

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 9-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 9-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 2851

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Ogino (U.S. Patent No. 5,206,761). Ogino teaches a rear projection screen comprising a lenticular lens screen 1 formed from at least two lenticular lens sheet members having respective edges which are bonded together at a junction plane, and a transmissive diffusion screen 3 that diffuses luminous fluxes which have passed through the lenticular lens screen to expand a viewing angle. The transmissive diffusion screen is arranged on the observer side of the lenticular lens screen. The applicant is directed to review figure 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogino (U.S. Patent No. 5,206,761) in view of Miyata (U.S. Patent No. 6,400,504). Ogino teaches the

Art Unit: 2851

salient features of the claimed invention except for the transmissive diffusion screen comprised of an image forming layer (of tinted material or diffusing material) on a transparent layer where the image layer is facing the lenticular screen. Miyata teaches in an image forming layer 30B formed on a transparent layer 32 where the image forming layer faces the lenticular screen. The applicant is directed to review figures 5 and 8 as well as col. 6, lines 53-57. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the features as taught by Miyata for the purpose of reducing scintillation while minimizing reduction in gain.

It is the examiner's position that the method of forming the screen is not germane to the issue of patentability of the device itself. Should the applicant argue that the method of making the screen is patentable the applicant is requested to point out *in the specification* where it discloses the advantages of making the screen by kneading over any other method. The following rejection of claim 10 is presented to expedite prosecution:

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ogino (U.S. Patent No. 5,206,761) in view of Miyata (U.S. Patent No. 6,400,504) and further in view of Yamashita (U.S. Patent No. 6,130,777). Ogino in view of Miyata teaches the salient features of the claimed invention except for the transmissive diffusion screen being made by kneading. Yamashita teaches in col. 1, lines 23-26 that it was known to manufacture a diffusing screen by kneading diffusing material into a resin. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the features as taught by Yamashita for the purpose of utilizing commonly/readily available methods of manufacture.

Art Unit: 2851

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ogino (U.S. Patent No. 5,206,761) in view of Hall, Jr. (U.S. Patent No. 6,437,914). Ogino teaches a rear projection screen comprising a lenticular lens screen 1 formed from at least two lenticular lens sheet members having respective edges which are bonded together at a junction plane, and a transmissive diffusion screen 3 that diffuses luminous fluxes which have passed through the lenticular lens screen to expand a viewing angle. The transmissive diffusion screen is arranged on the observer side of the lenticular lens screen. The applicant is directed to review figure 1. Ogino does not teach holographic sheet members. Instead Ogino teaches lenticular sheet members. Hall, Jr. teaches that it was known to replace lenticular sheet members with hologram sheet members. The applicant is directed to review col. 5, lines 59-61 and col. 6, lines 26-29. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the features as taught by Hall, Jr. for the purpose of reducing color shift. Additionally because hologram sheet members were art known equivalents to lenticular sheet members, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the hologram sheet members as taught by Hall, Jr. instead of the lenticular sheet members.

Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogino (U.S. Patent No. 5,206,761) in view of in view of Hall, Jr. (U.S. Patent No. 6,437,914), and further in view of Miyata (U.S. Patent No. 6,400,504). Ogino in view of hall, Jr. teaches the salient features of the claimed invention except for the transmissive diffusion screen comprised of an image forming layer (of tinted material or diffusing material) on a transparent layer where the image layer is facing the lenticular screen. Miyata teaches in an image forming layer 30B formed on a transparent layer 32 where the image forming layer faces the lenticular screen. The

Art Unit: 2851

applicant is directed to review figures 5 and 8 as well as col. 6, lines 53-57. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the features as taught by Miyata for the purpose of reducing scintillation while minimizing reduction in gain.

It is the examiner's position that the method of forming the screen is not germane to the issue of patentability of the device itself. Should the applicant argue that the method of making the screen is patentable the applicant is requested to point out *in the specification* where it discloses the advantages of making the screen by kneading over any other method. The following rejection of claim 10 is presented to expedite prosecution:

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ogino (U.S. Patent No. 5,206,761) in view of in view of Hall, Jr. (U.S. Patent No. 6,437,914) and Miyata (U.S. Patent No. 6,400,504) and further in view of Yamashita (U.S. Patent No. 6,130,777). Ogino in view of Hall, Jr. and Miyata teaches the salient features of the claimed invention except for the transmissive diffusion screen being made by kneading. Yamashita teaches in col. 1, lines 23-26 that it was known to manufacture a diffusing screen by kneading diffusing material into a resin. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the features as taught by Yamashita for the purpose of utilizing commonly/readily available methods of manufacture.

Allowable Subject Matter

The examiner suggests introducing some of the elements found in previous claim 4. The examiner has reconsidered the rejection made over Ogino in view of Sakanuga. It is the

Art Unit: 2851

examiner's position that the combination of Ogino in view of Sakanuga still presents a valid prima facie case of obviousness for canceled claims 7 and 8 since the teaching exists. However it is the examiner's position that the combination of Ogino in view of Sakanuga does not teach, in combination with the additionally recited elements, a rear projection screen where the sheet members have the junction plane positioned along an off center portion of the main surface. Additionally the references do not teach only 1 or 2 junction planes along an off center portion of the main surface.

Response to Arguments

Applicant's arguments filed January 7, 2003 have been fully considered but they are not persuasive. The applicant argues that Ogino does not teach a transmissive diffusion screen on an observer side of the lenticular lens screen. However the applicant is interpreting sheet 3 to be the lenticular lens screen while the examiner is interpreting sheet 1 to be the lenticular lens screen. Elements 4 are lenticules which make 1 a lenticular screen comprised of two lenticular sheet members. Sheet 3 is the transmissive diffusion screen on an observer side of the lenticular lens screen.

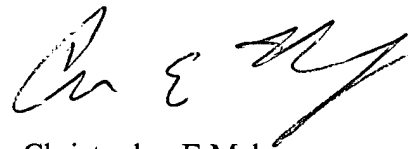
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher E Mahoney whose telephone number is (703) 305-3475. The examiner can normally be reached on 8:30AM-5PM, Monday-Thursday.

Art Unit: 2851

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams can be reached on (703) 308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3431 for regular communications and (703) 305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

A handwritten signature in black ink, appearing to read 'Ch E Mahoney', is positioned above the printed name.

Christopher E Mahoney
Primary Examiner
Art Unit 2851

CM
March 19, 2003